

ORDINANCE NO. 3509

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE MARICOPA COUNTY, ARIZONA, AMENDING ARTICLE I OF CHAPTER 16 OF THE SCOTTSDALE REVISED CODE, RELATING TO GENERAL PROVISIONS FOR LICENSES AND PERMITS.

BE IT ORDAINED by the City Council of the City of Scottsdale as follows:

Section 1. Sections 16-3 through 16-5 of Article 1, Chapter 16 of the Scottsdale Revised Code, relating to general provisions for licenses and permits, are hereby amended to read as follows:

**Sec. 16-3. Definitions.**

The following words, terms and phrases, when used in this article, and those articles of chapter 16 of the Scottsdale Revised Code to which it is applicable, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Aggrieved person* means any person, group, association, partnership, limited partnership or corporation who has been denied a license or permit, or whose license or permit is subject to suspension or revocation under one of the articles to which this article applies.

*Appellant* means an aggrieved person who participates in the procedures set forth in this article.

**CONTROL MEANS THE POWER TO DIRECT OR CAUSE THE DIRECTION OF THE MANAGEMENT AND POLICIES OF AN APPLICANT, LICENSEE OR CONTROLLING PERSON, IN ANY WAY. CONTROL IS PRESUMED TO EXIST:**

(A) IN A PRIVATELY-HELD CORPORATION, IF A PERSON HAS THE DIRECT OR INDIRECT OWNERSHIP OF OR POWER TO VOTE TEN PER CENT (10%) OR MORE OF THE OUTSTANDING VOTING SECURITIES OF THE APPLICANT, LICENSEE OR CONTROLLING PERSON, OR TO CONTROL IN ANY MANNER THE ELECTION OF ONE OR MORE OF THE DIRECTORS OF THE APPLICANT, LICENSEE OR CONTROLLING PERSON. TO DETERMINE THE PERCENTAGE OF VOTING SECURITIES OWNED, CONTROLLED OR HELD BY A PERSON, THERE SHALL BE ADDED THE VOTING SECURITIES OF ANY OTHER PERSON CONTROLLED BY (I) THAT PERSON, OR (II) BY AN OFFICER, PARTNER, EMPLOYEE OR REPRESENTATIVE OF THAT PERSON OR (III) BY A SPOUSE, PARENT OR CHILD OF THAT PERSON.

(B) IN A PARTNERSHIP, IF THE GENERAL PARTNER OR A LIMITED PARTNER HOLDS TEN PER CENT (10%) OR MORE OF THE VOTING RIGHTS OF THE PARTNERSHIP.

(C) IF A CREDITOR OF THE APPLICANT, LICENSEE OR CONTROLLING PERSON HOLDS A BENEFICIAL INTEREST IN TEN PER CENT (10%) OR MORE OF THE LIABILITIES OF THE APPLICANT, LICENSEE OR CONTROLLING PERSON.

**(D) IN AN ON-SITE MANAGER OF A MASSAGE FACILITY, WHO DIRECTS THE DAILY OPERATION OF THE MASSAGE FACILITY, WHETHER OR NOT THE ON-SITE MANAGER HAS ANY OWNERSHIP INTEREST IN THE MASSAGE FACILITY.**

**CONTROLLING PERSON MEANS A PERSON DIRECTLY OR INDIRECTLY POSSESSING CONTROL OF AN APPLICANT, LICENSEE OR MASSAGE FACILITY, AND INCLUDES AN AGENT AND AN ON-SITE MANAGER.**

*Director* means the **FINANCIAL SERVICES** customer service director of the City of Scottsdale, the director's designee, **OR A HEARING OFFICER APPOINTED BY THE CITY MANAGER, AS APPLICABLE.**

*General manager* means the general manager of financial services of the City of Scottsdale, the general manager's designee, **OR A HEARING OFFICER APPOINTED BY THE CITY MANAGER, AS APPLICABLE.**

*License* means either a license or permit to which this article applies.

*Licensee* means either a licensee or permittee to whom or which this article applies.

**MORAL TURPITUDE MEANS AN ACT OF BASENESS, VILENESS OR DEPRAVITY IN THE DUTIES THAT A PERSON OWES TO SOCIETY, CONTRARY TO THE ACCEPTED AND CUSTOMARY RULES OF RIGHT AND DUTY. MORAL TURPITUDE INCLUDES, BUT IS NOT LIMITED TO, GROSS INDECENCY, INDECENT EXPOSURE, LEWDNESS, SOLICITATION OF PROSTITUTION, PROSTITUTION, PERJURY, FORGERY, TAX EVASION, THEFT AND MISAPPROPRIATIONS OF FUNDS. MORAL TURPITUDE ALSO INCLUDES ANY OTHER SPECIFIC OFFENSES THAT HAVE BEEN DETERMINED BY FEDERAL OR STATE COURTS IN THE STATE OF ARIZONA AS BEING CRIMES OF MORAL TURPITUDE.**

#### **Sec. 16-4. Issuance of licenses.**

(a) Unless otherwise expressly provided elsewhere in this chapter, license applications shall be filed with the customer service director of the city or designee. The director or designee shall be responsible for the issuance of the licenses which are subject to this article.

**(B) THE PROCESSING OF AN APPLICATION BEGINS WITH THE FILING OF A COMPLETE LICENSE APPLICATION. A COMPLETE LICENSE APPLICATION INCLUDES, BUT IS NOT LIMITED TO, ANY REQUIRED WRITTEN APPLICATION, ANY AND ALL SUPPORTING OR RELATED DOCUMENTS AND MATERIALS, AND ANY AND ALL REQUIRED FEES. ANY TIME LIMIT WITHIN WHICH THE PROVISIONS OF THIS CHAPTER REQUIRE A LICENSE TO BE ISSUED SHALL BEGIN FROM THE DATE OF THE FILING OF THE COMPLETE LICENSE APPLICATION. IF AN APPLICANT FILES AN APPLICATION THAT IS DETERMINED BY THE DIRECTOR TO BE INCOMPLETE AND FAILS TO FILE A COMPLETE LICENSE APPLICATION WITHIN NINETY (90) DAYS OF THE DATE OF FILING, THE DIRECTOR MAY DEEM THE APPLICATION TO HAVE BEEN WITHDRAWN AND THE FILE SHALL BE CLOSED.**

~~(b)~~ **(C)** The director will issue a license to an applicant or renew a license, if applicable, when the following conditions of the applicable licensing provisions have been fully satisfied:

- (1) All application requirements have been met, including any police background checks and fingerprint requirements.
- (2) All license fees, **CITY TAXES, FINES AND PENALTIES** have been paid in full.
- (3) No grounds for denial listed in this section exist.
- (4) No grounds for denial provided in the specific article under which application is made exist.
- (5) The applicant has not had a license similar to the one (1) issued pursuant to the provisions of this article issued by the city or another authority, **DENIED**, suspended or revoked within the ~~five-year~~ **TWO (2) YEAR** period immediately preceding the date of the filing of the application.

(e) **(D)** The following grounds for denying a license or denying the renewal of a license, in addition to those grounds provided in the specific articles of this chapter, if the director has reasonable grounds to believe that they exist at the time of the filing of an original application or a request for renewal:

- (1) The applicant **OR A CONTROLLING PERSON** has been previously convicted, in any jurisdiction, of a felony; or a misdemeanor involving fraud, theft, dishonesty, assaultive conduct or moral turpitude; within the five-year period immediately preceding the filing of an original application or a request for renewal, whether or not the conviction or convictions have been expunged from court records pursuant to law. ~~For the purposes of this subsection, the term "applicant" shall include general partners and limited partners, if the applicant is a partnership, and officers and shareholders of twenty (20) percent of the applicant's stock if the applicant is a corporation.~~ A certified copy of the records of any court of competent jurisdiction reflecting the fact and date of any relevant conviction shall be prima facie evidence thereof for purposes of this article.
- (2) False or misleading information was given in any license application, request for renewal or was submitted in support of such application or request, or the applicant failed or refused to make full disclosure of all required information.
- (3) The applicant is not a United States citizen or lawful permanent resident alien or an alien who is authorized to work by the United States Department of Justice Immigration and Naturalization Service.
- (4) **THE APPLICANT HAS NOT HAD A LICENSE OR PERMIT OF THE SAME OR SIMILAR CHARACTER AS THE LICENSE OR PERMIT APPLIED FOR PURSUANT TO THE PROVISIONS OF THIS ARTICLE, ISSUED BY THE CITY OR ANOTHER AUTHORITY, DENIED, SUSPENDED, REVOKED OR CANCELLED FOR CAUSE WITHIN THE TWO (2) YEAR PERIOD IMMEDIATELY PRECEDING THE DATE OF THE FILING OF THE APPLICATION.**
- (5) **ONE OR MORE CONDITIONS FOR ISSUING THE LICENSE AS PROVIDED IN SECTION 16-4 (C) HAVE NOT BEEN MET.**

#### **Sec. 16-5. Denial of issuance.**

The director shall deny an application for a license if the applicant has failed to comply with the provisions of section 16-4, or grounds for denial exist. The director shall give written notice of any denial of an **INITIAL** application, or **A** request for renewal, **AND THE RIGHT OF APPEAL FROM THE DENIAL, AS PROVIDED FOR IN THIS ARTICLE.** For the purposes of this article, a refusal to issue a license within any time period required by applicable provisions of this chapter, **AFTER A COMPLETED APPLICATION HAS BEEN SUBMITTED AND THE REQUIRED FEES AND ALL OUTSTANDING CITY TAXES, FINES AND PENALTIES ARE PAID IN FULL,** shall be considered as a denial of a license.

Section 2. Section 16-6 of the Scottsdale Revised Code is hereby repealed and article I of chapter 16 is amended to add a new section 16-6, which shall read as follows:

**SEC. 16-6. CHANGE OF ADDRESS; NOTICES.**

(A) **APPLICANTS AND LICENSEES ARE REQUIRED TO REPORT ANY AND ALL CHANGES IN THEIR MAILING ADDRESS OF RECORD, RESIDENCE AND BUSINESS ADDRESSES, NOT LESS THAN TEN (10) DAYS PRIOR TO THE EFFECTIVE DATE OF ANY CHANGE OF ADDRESS. CHANGES IN ADDRESS WILL BE REPORTED, IN WRITING, TO THE DIRECTOR, WHO MAY REQUIRE THAT THE CHANGE BE REPORTED ON A FORM DESIGNATED BY THE DIRECTOR. THE REQUIREMENT OF THIS SUBSECTION SHALL BE IN ADDITION TO ANY OTHER PROVISION IN THIS CHAPTER REQUIRING APPLICANTS AND LICENSEES TO UPDATE INFORMATION PERTAINING TO APPLICATIONS AND LICENSES.**

(B) **ALL NOTICES OF DENIAL OR REVOCATION PROVIDED FOR IN THIS ARTICLE SHALL BE GIVEN BY THE DIRECTOR, IN WRITING, AND SHALL STATE THE BASIS FOR THE DENIAL OR REVOCATION, AS PROVIDED IN SECTIONS 16-5 AND 16-8.**

(C) **UNLESS OTHERWISE PROVIDED IN THIS SECTION, THE DIRECTOR SHALL SEND ALL NOTICES, REQUIRED OR PERMITTED BY THIS ARTICLE, INCLUDING NOTICES OF DENIAL, REVOCATION, OR HEARINGS TO BE CONDUCTED PURSUANT TO THIS ARTICLE TO THE MAILING ADDRESS OF RECORD PROVIDED ON THE MOST RECENT LICENSE APPLICATION, OR REQUEST FOR RENEWAL, AS APPLICABLE, OR AS REPORTED BY THE LICENSEE PURSUANT TO SUBSECTION (A), ABOVE.**

(D) **NOTICES OF DENIAL OR REVOCATION SHALL BE EITHER DELIVERED TO THE APPLICANT OR LICENSEE PERSONALLY OR MAILED TO THE APPLICANT OR LICENSEE. NOTICE GIVEN BY MAIL SHALL BE BY CERTIFIED MAIL, RESTRICTED DELIVERY, DELIVER TO ADDRESSEE ONLY AND A RETURN RECEIPT SHALL BE REQUESTED. MAILED NOTICES WILL BE POSTED WITH THE UNITED STATES POSTAL SERVICE AND SENT TO THE ADDRESS AS PROVIDED IN SUBSECTION (C), ABOVE. THE RESULTS OF ANY HEARING PROVIDED FOR IN THIS ARTICLE SHALL BE GIVEN TO THE APPLICANT OR LICENSEE, AS APPLICABLE, AS PROVIDED IN THIS SECTION.**

(E) **WHEN THE DIRECTOR HAS REASONABLE GROUNDS TO BELIEVE THAT THE ADDRESS OF RECORD IS INCORRECT, THE DIRECTOR MAY SEND THE NOTICE TO ANY ADDRESS OF THE LICENSEE KNOWN TO THE DIRECTOR, INCLUDING THE ADDRESS LISTED ON ANY CRIMINAL CITATION, POLICE REPORT OR RECORD, IF THE**

**DIRECTOR BELIEVES IT TO BE THE MOST CURRENT ADDRESS OF THE APPLICANT OR LICENSEE.**

**(F) COMPLIANCE WITH THE MAILING PROVISIONS OF THIS SUBSECTION CONSTITUTES NOTICE OF THE DENIAL OR REVOCATION, AND THE RIGHT OF APPEAL, AS APPLICABLE. THE CITY IS NOT REQUIRED TO PROVE ACTUAL RECEIPT OF THE NOTICE OR ACTUAL KNOWLEDGE OF THE DENIAL OR REVOCATION. ANY NOTICE THAT IS THE SUBJECT OF THIS SECTION IS COMPLETE UPON MAILING.**

Section 3. Article 1 of Chapter 16 of the Scottsdale Revised Code is hereby amended to add section 16-6.1, which shall read as follows:

**SEC. 16-6.1. HEARINGS.**

**(A) AT THE REQUEST OF THE DIRECTOR OR GENERAL MANAGER, AS APPLICABLE, THE CITY MANAGER MAY APPOINT A HEARING OFFICER TO CONDUCT ANY HEARING PROVIDED FOR IN THIS ARTICLE.**

**(B) AT ANY HEARING PROVIDED FOR IN THIS ARTICLE THE BURDEN OF PROOF SHALL BE UPON THE CITY TO PROVE THE GROUNDS FOR DENIAL OR REVOCATION BY A PREPONDERANCE OF EVIDENCE.**

Section 4. Sections 16-7 through 16-11 of Article 1, Chapter 16 of the Scottsdale Revised Code, relating to general provisions for licenses and permits, are hereby amended to read as follows:

**Sec. 16-7. Revocation; grounds.**

The director shall initiate license revocation proceedings when the director has reasonable grounds to believe that:

(1) The licensee has been ~~previously~~ convicted, in any jurisdiction, of a felony; or a misdemeanor involving fraud, theft, dishonesty, assaultive conduct or moral turpitude, within the five-year period immediately preceding the filing of an original application or a request for renewal, **OR DURING ANY PERIOD IN WHICH THE LICENSE THAT IS SUBJECT TO THIS ARTICLE IS IN EFFECT. A CONVICTION OR CONVICTIONS MAY BE GROUNDS FOR REVOCATION PURSUANT TO THIS SECTION** whether or not the conviction or convictions have been expunged from court records pursuant to law. A certified copy of the records of any court of competent jurisdiction reflecting the fact and date of any relevant conviction shall be prima facie evidence thereof for purposes of this article. For the purposes of this subsection, the term "licensee" ~~shall include general partners and limited partners, if the licensee is a partnership, and officers and shareholders of twenty (20) percent of the licensees scotck if the licensee is a corporation~~ **INCLUDES ANY CONTROLLING PERSON.**

(2) The licensee has given false or misleading information in any license application, request for renewal or was submitted in support of such application or request, or has failed or refused to make full disclosure of information required by this chapter.

**(3) THE LICENSEE HAS HAD A LICENSE OR PERMIT OF THE SAME OR SIMILAR CHARACTER AS THE LICENSE OR PERMIT ISSUED PURSUANT TO THE PROVISIONS OF THIS ARTICLE, ISSUED BY THE CITY OR ANOTHER AUTHORITY, DENIED, SUSPENDED, REVOKED OR CANCELLED FOR CAUSE WITHIN THE TWO (2) YEAR PERIOD IMMEDIATELY PRECEDING THE TIME WHEN THE DIRECTOR LEARNS OF SUCH DENIAL, SUSPENSION, REVOCATION OR CANCELLATION.**

~~(3)~~ **(4)** Any ground for suspension or revocation set forth in the article pursuant to which the license was issued exists.

#### **Sec. 16-8. Revocation procedure.**

(a) When grounds for a license revocation exist, the director shall give the licensee written notice of a license revocation or suspension hearing. The notice of hearing shall be given pursuant to this article and shall contain the following information:

- (1) The grounds relied upon for the revocation, including citations to applicable City Code provisions.
- (2) **AN ORDER DIRECTING THE LICENSEE TO APPEAR IN THE OFFICE OF THE DIRECTOR, AT A DATE AND TIME CERTAIN, TO SHOW CAUSE WHY THE LICENSEE'S LICENSE SHOULD NOT BE REVOKED.** The date, time and place of the hearing, ~~which shall be not less than ten (10) WORKING days, nor more than fifteen (15) WORKING days of~~ **FROM the DATE THE giving of notice IS GIVEN.**
- (3) The aggrieved party shall have the right to present evidence at the hearing and to be represented by legal counsel if the aggrieved party so chooses.
- (4) The license will be revoked at the date and time of the hearing, unless the licensee appears to contest the revocation ~~or suspension.~~

(b) A copy of this article shall accompany the notice of license revocation or suspension hearing.

#### **Sec. 16-9. Revocation hearing.**

(a) At the time of the revocation hearing, the director will state the grounds for revocation and shall disclose any supporting evidence to the licensee. The licensee may then present evidence in rebuttal. The evidence adduced at the hearing may either be through live testimony, documentary evidence or other materials. The licensee may give oral argument on the issue.

**(B) IF THE LICENSEE IS NOT PRESENT AT THE PLACE AND AT THE TIME THE HEARING IS SCHEDULED, AS SPECIFIED IN THE NOTICE GIVEN PURSUANT TO SECTION 16-8, ABOVE, OR WITHIN FIFTEEN (15) MINUTES THEREAFTER, THE DIRECTOR MAY INFER THAT THE LICENSEE'S ABSENCE IS VOLUNTARY. UNLESS THERE IS GOOD CAUSE, THE HEARING SHALL GO FORWARD WITHOUT THE LICENSEE. AN AUTHORIZED LEGAL REPRESENTATIVE, WHO IS PRESENT WITHIN THE REQUIRED TIME, MAY REPRESENT THE LICENSEE IN HIS OR HER ABSENCE.**

~~(b)~~ **(C)** The director may rule on the revocation at the close of the evidence and argument, but shall enter a ruling within ten (10) **WORKING** days of the completion of the hearing.

~~(c)~~ **(D)** The ruling of the director shall be in writing and signed by the director and shall contain the director's findings in respect to the allegations and the evidence supporting the findings. No license shall be revoked unless the director finds by a preponderance of the evidence that one (1) or more of the grounds alleged for revocation are true. The director shall give notice of the ruling as provided in this article and any revocation of a license or permit shall be effective when notice is given to the licensee or permittee, as applicable, and:

- (1) The time permitted for filing a notice of appeal, pursuant to section 16-10, has expired without a notice of appeal having been filed; ~~and~~ **OR**
- (2) The revocation has been affirmed by the general manager following the hearing of a timely filed notice of appeal; ~~and~~ **OR**
- (3) The aggrieved party has filed a timely notice of appeal, but has abandoned the appeal prior to any hearing and ruling by the general manager.

~~(d)~~ **(E)** When a revocation becomes effective, as provided herein, the affected licensee or permittee shall surrender the license or permit to the general manager immediately and shall no longer conduct any business pursuant to the license or permit.

~~(e)~~ **(F)** Provisions to the contrary notwithstanding, following a ruling by the director as provided in subsection ~~(b)~~ **(C)** above, the director may declare that the subject license or permit be revoked immediately, if in the reasonable judgment of the director, the continuation of activities or conduct licensed or permitted constitutes an unreasonable danger to the health or safety of any individual or the community in general. A revocation made effective under the provisions of this subsection shall be reactivated immediately upon the taking of a successful appeal by the aggrieved party.

#### **Sec. 16-10. Appeal.**

(a) An aggrieved party may appeal the denial of a license or request for the renewal of a license, or the revocation of a license, to the general manager by filing a written notice of appeal with the director not later than ten (10) **WORKING** days after the director has taken the action to be appealed from. The right to appeal is waived if the notice of appeal is not timely filed.

(b) This article contains all the appellate relief to which an aggrieved party is entitled through city procedures. The exhaustion of appellate remedies at the city level does not preclude an aggrieved party from seeking any other remedies provided by law.

#### **Sec. 16-11. Appeal procedure.**

(a) Upon receipt of a written notice of appeal, the general manager shall set an appeal hearing **TO BE HELD** within ten (10) **WORKING** days and shall give notice of the hearing as provided in this article. **THE NOTICE OF HEARING SHALL ALSO STATE THAT IF THE**

**LICENSEE IS NOT PRESENT AT THE TIME OF THE HEARING, THE HEARING WILL PROCEED WITHOUT THE LICENSEE AND THAT THE GENERAL MANAGER WILL RULE BASED UPON THE EVIDENCE PRESENTED AT THE HEARING.**

(b) When required in the interest of fairness, the general manager may grant continuances of the hearing, but all hearings on license revocations and suspensions shall be heard not later than ~~thirty (30)~~ **TWENTY (20) WORKING** days from the date on which the notice of appeal was filed.

(c) An appellant may be represented by counsel at the hearing and the city may be represented by the city attorney's or city prosecutor's office. Formal rules of evidence shall not apply. Both the appellant and the city shall have the right to present evidence through testimony or exhibits and to cross-examine witnesses. The general manager shall preside over the proceedings and shall determine the order and manner of proof.

**D) IF THE LICENSEE IS NOT PRESENT AT THE PLACE AND TIME THE HEARING IS SCHEDULED, AS SPECIFIED IN THE NOTICE OF HEARING GIVEN PURSUANT TO THIS ARTICLE, OR WITHIN FIFTEEN (15) MINUTES THEREAFTER, THE DIRECTOR MAY INFER THAT THE LICENSEE'S ABSENCE IS VOLUNTARY. UNLESS THERE IS GOOD CAUSE, THE HEARING SHALL GO FORWARD WITHOUT THE LICENSEE. AN AUTHORIZED LEGAL REPRESENTATIVE, WHO IS PRESENT WITHIN THE REQUIRED TIME, MAY REPRESENT THE LICENSEE IN HIS OR HER ABSENCE.**

(E) At the conclusion of the hearing, the general manager shall rule on the appeal within seven (7) working days, unless all parties stipulate that additional time is required to render a fair decision. The general manager shall sustain the action appealed if it is supported by a preponderance of evidence. The general manager shall notify the appellant of the ruling in writing, by mail, whether or not the ruling is made at the conclusion of the evidence at the time of the hearing.

(F) When a license revocation is the subject of an appeal under this section, the revocation shall not be effective unless it is sustained by the general manager. The revocation shall be effective immediately when the ruling is made by the general manager at the time of the hearing, or upon mailing of the written notice of ruling as provided in this section, when the ruling is made at a time after the hearing is concluded. The licensee shall surrender all revoked licenses to the general manager, or to such city representative as the general manager may direct, whenever the revocation becomes effective.

Section 5. Section 16-14 of the Scottsdale Revised Code is hereby amended to read as follows:

**Sec. 16-14. Reapplication.**

~~— (a) Any person who, pursuant to this article, has previously been denied a license or renewal, or who has had a license revoked, may reapply for a license of the same character at any time after the decision affecting the applicant's license has become final and is no longer subject to appeal pursuant to this article. No new license may be issued to the applicant except upon full compliance with this article.~~



**(A) NO PERSON WHO HAS HAD THE ISSUANCE OR RENEWAL OF A LICENSE DENIED, OR A LICENSE REVOKED, PURSUANT TO THIS ARTICLE, MAY APPLY FOR A LICENSE OF THE SAME OR SIMILAR KIND THAT WAS THE SUBJECT OF THE DENIAL OR REVOCATION FOR TWO (2) YEARS AFTER THE DECISION AFFECTING THE APPLICANT'S LICENSE HAS BECOME FINAL AND IS NO LONGER SUBJECT TO APPEAL, UNLESS THE CAUSE OF SUCH DENIAL, NON-RENEWAL OR REVOCATION HAS BEEN REMOVED TO THE SATISFACTION OF THE DIRECTOR.**

**(B) Any NO person, who, pursuant to this article, has previously been denied a license or renewal OF A LICENSE, or who has had a license revoked, PURSUANT TO THIS CHAPTER, because false or misleading information was given in any license application, or was submitted in support of the application, or the applicant or licensee failed or refused to make full disclosure of all information required for the completion of the application, shall not be permitted to apply for any license to which this article applies until two (2) years after the decision affecting the applicant's license has become final and is no longer subject to appeal pursuant to this article.**

**(C) NO PERSON, WHO HAS BEEN PREVIOUSLY DENIED A LICENSE OR RENEWAL OF A LICENSE, OR WHO HAS HAD A LICENSE REVOKED FOR A CONVICTION OF AN OFFENSE DESCRIBED IN THIS ARTICLE MAY APPLY FOR A LICENSE PURSUANT TO THIS ARTICLE FOR TWO (2) YEARS FROM THE DENIAL OR REVOCATION, OR WITHIN FIVE (5) YEARS FROM THE CONVICTION DATE, WHICHEVER IS GREATER.**

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 3rd day of June, 2003.

CITY OF SCOTTSDALE, an Arizona  
municipal corporation,

ATTEST:

\_\_\_\_\_  
Sonia Robertson  
City Clerk

\_\_\_\_\_  
Mary Manross  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
David A. Pennartz  
City Attorney